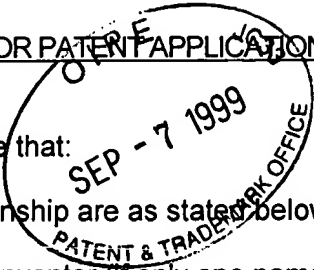


#3

DECLARATION FOR PATENT APPLICATION



As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **A Process For Delivering Nucleic Acids To Cardiac Tissue:** (check one)

☒ is attached hereto;

☒ was filed on June 11, 1999 as Application Serial Number 09/330,909.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

PRIORITY CLAIMED

N/A

(Number) (Country) (Day/Month/Year Filed)

☐ ☐

Yes No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)
60/100,168

(Filing Date)

September 14, 1998 Pending

(Status - Patented, Pending, or Abandoned)

(Application Serial No.)

(Filing Date)

(Status - Patented, Pending, or Abandoned)

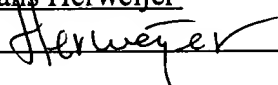
I hereby appoint the following attorney(s) and/or agents, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

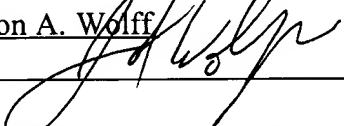
Mark K. Johnson, Registration Number 35,909

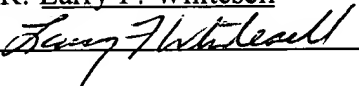
Address all telephone calls to: Mark K. Johnson
414-821-5690

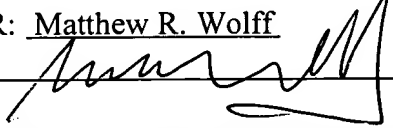
All correspondence to: Mark K. Johnson
P.O. Box 510644
New Berlin, WI 53131-0644

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF INVENTOR: Hans Herweijer
INVENTOR'S SIGNATURE  DATE 7/29/99
RESIDENCE: Wisconsin
Citizenship: The Netherlands Post Office Address: 6245 Sandsnes Lane, Madison, WI 53719

FULL NAME OF INVENTOR: Jon A. Wolff
INVENTOR'S SIGNATURE  DATE 7/27/99
RESIDENCE: Wisconsin
Citizenship: US Post Office Address: 1122 University Bay Drive, Madison, WI 53705

FULL NAME OF INVENTOR: Larry F. Whitesell
INVENTOR'S SIGNATURE  DATE 8-4-99
RESIDENCE: Wisconsin
Citizenship: US Post Office Address: 7220 Blackhill Road, Lodi, WI 53555

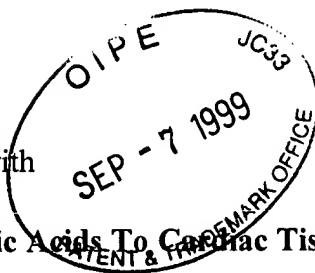
FULL NAME OF INVENTOR: Matthew R. Wolff
INVENTOR'S SIGNATURE  DATE 8/4/99
RESIDENCE: Wisconsin
Citizenship: US Post Office Address: 1332 North High Point Road, Middleton, WI 53562

#4
Applicant or Patentee: **Jon A. Wolff**

Serial or Patent No.:

Filed or Issued: Simultaneously Herewith

For: **A Process For Delivering Nucleic Acids To Cardiac Tissue**



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§1.9(f) and 1.27(d)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. §1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled: **A Process For Delivering Nucleic Acids To Cardiac Tissue** described in

- ☒ the specification filed herewith
☐ application serial no. , filed
☐ patent no. , issued

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. §1.9(c) if that person had made in the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization
☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities (37 C.F.R. §11.27).

FULL NAME Wisconsin Alumni Research Foundation

ADDRESS 614 Walnut Street, Madison, WI 53705

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Jon A. Wolff

NAME OF INVENTOR

Signature

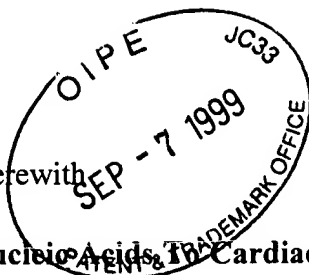
Date

Applicant or Patentee: **Hans Herweijer**

Serial or Patent No.:

Filed or Issued: Simultaneously Herewith

For: **A Process For Delivering Nucleic Acids To Cardiac Tissue**



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Hans Herweijer

NAME OF INVENTOR

Herweijer
Signature

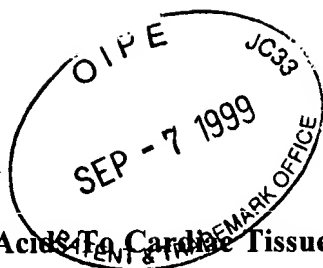
7/29/99
Date

Applicant or Patentee: **Larry F. Whitesell**

Serial or Patent No.:

Filed or Issued: Simultaneously Herewith

For: **A Process For Delivering Nucleic Acids To Cardiac Tissue**



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Larry F. Whitesell

NAME OF INVENTOR


Signature

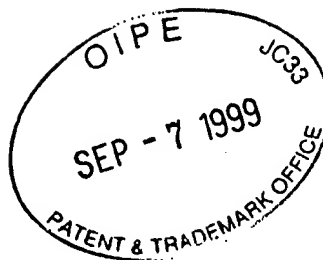
6-12-89
Date

Applicant or Patentee: **Matthew R. Wolff**

Serial or Patent No.:

Filed or Issued: Simultaneously Herewith

For: **A Process For Delivering Nucleic Acids To Cardiac Tissue**



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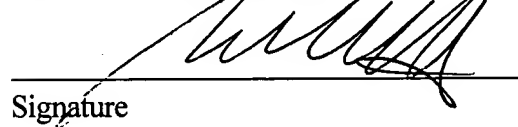
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Matthew R. Wolff

NAME OF INVENTOR


Signature


Date